

Examiner-Initiated Interview Summary

Application No.

10/031,463

Applicant(s)

ANDERSON ET AL.

Examiner

Emily Bernhardt

Art Unit

1624

All Participants:

(1) Emily Bernhardt.

(2) Mr. Napoli.

Status of Application: _____

(3) _____.

(4) _____.

Date of Interview: 26 April 2004

Time: _____

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

5 and 6 in particular

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner initially pointed out to Mr. Napoli that claim 6 as written does not further limit the scope of claim 5. Also, upon review of the claim language and the specification it was pointed out that any reference to "composition" claims need to be distinguished over prior art compositions since instant compounds if dissolved in solution would no longer retain the novel feature, namely particle size, over prior art compounds. To pass the case to issue it was agreed to cancel claim 6 and to modify "composition" in the claims by reciting "solid composition" consistent with the teachings of the specification. These changes will be done via an Examiner's Amendment.